IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20332 of 2006

DATED: 14.12.2006

Between:

G.Srinivas Rao **petitioner**

And

APSRTC,
Rep by its Managing Director,
Musheerabad, Hyderabad & ors **Respondents**

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 20332 OF 2006

ORAL ORDER:

The present writ petition is filed questioning the proceedings dated 18.7.2006 retiring the petitioner on medical grounds and the consequential proceedings dated 11.8.2006 advising the petitioner to submit an application for settlement of retrial benefits including revised additional monetary benefit as per the rules in force.

The petitioner is working as Driver with the respondents-APSRTC. While discharging his duties as driver, in the year 2002 he suffered with "Right Hamiparasis CVA and underwent treatment at Nizams Institute of Medical Sciences,Hyderabad as outpatient from 8.10.2002 to 14.7.2005. Thereafter, the Superintendent, NIMS, Hyderabad issued medical certificate dated 14.7.2005 to the effect that the petitioner is having weakness in right arm and is unfit for the post of Driver and advised to provide him some alternative job. The third respondent-Depot Manager, referred the petitioner to APSRTC Hospital, Tarnaka, Hyderabad, wherein he was declared unfit to hold the post of Class A1 Driver vide office order dated 18.7.2005. Thereafter the petitioner was kept under forced leave till 18.7.2006. On 9.5.2006 the petitioner submitted a representation requesting the authorities to provide alternative employment. Thereafter vide proceedings dated 18.72006, the petitioner was retired on medical grounds in terms of Rule 6-A of the APSRTC Employees (Service) Regulations, 1964. Vide proceedings dated 11.8.2006, he was advised to submit an application for settlement of retrial benefits including revised additional monetary benefits. Hence, the present writ petition.

When the matter is taken up, learned Standing Counsel for

respondent corporation, on instructions submitted that the case of the petitioner was recommended to the Government for providing alternative employment under Section 47 of the Persons with Disabilities (Equal opportunities, protection of rights and full participation) Act 1 of 1995 (for short 'the Act'). It is further submitted that the sanction is expected within a period of two months and immediately on obtaining the sanction, the petitioner would be provided with alternative employment.

In view of the statement of the learned Standing Counsel for respondent corporation on instructions that the case of the petitioner for providing alternative employment is under process and positively within a period of two months, the petitioner would be provided with alternative employment, no further orders are required to be passed in the present writ petition.

Accordingly, recording the statement of the learned Standing Counsel for respondent corporation, the writ petition is closed. No costs.

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N.V.RAMANA,J

DATE: 14.12.2006
TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

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